

FILED

AUG 16 2007

RICHARD W. WIEKING
CLERK U.S. DISTRICT COURT,
NORTHERN DISTRICT OF CALIFORNIA

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

HARVEY BLIGHT,

No. C 06-6300 MJJ

Plaintiff,

**ORDER DISMISSING WITHOUT
PREJUDICE PLAINTIFF'S COMPLAINT
FOR FAILURE TO PROSECUTE**

v.

STATE OF CALIFORNIA, et al.,

Defendant.

On December 12, 2006, this Court denied Plaintiff's application to proceed *in forma pauperis*.¹ The Court ordered Plaintiff to pay the requisite filing fees by January 19, 2007, and warned Plaintiff that failure to pay could result in dismissal of the action. On January 4, 2007, this Court issued an Order to Show Cause why Plaintiff's complaint should not be dismissed for failure to prosecute pursuant to Federal Rules of Civil Procedure, Rule 41(b).² Plaintiff was directed to respond to that order within fifteen days. A review of the record shows that Plaintiff fails to make an adequate showing of cause, and to date, has not paid the fees. Accordingly, this case is

DISMISSED WITHOUT PREJUDICE and the clerk is directed to close the file.

IT IS SO ORDERED.

Dated: August 3, 2007



MARTIN J. JENKINS
UNITED STATES DISTRICT JUDGE

¹Docket No. 6.

²Docket No. 11.

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

HARVEY BLIGHT,

Plaintiff,

v.

STATE OF CALIFORNIA et al,

Defendant.

Case Number: CV06-06300 MJJ

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on August 14, 2007, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Harvey Blight
615 Eleventh Avenue
Menlo Park, CA 94025

Dated: August 14, 2007



Richard W. Wiking, Clerk
By: Edward Butler, Deputy Clerk